

## State Water Resources Control Board

June 19, 2018

(Via email and Certified Mail)  
**CERTIFIED MAIL**  
**NO. 7017 2680 0000 6289 4671**

Mr. Terry Richardson  
Shop Supervisor  
Merced County Roads Department  
880 Thornton Road, Building B  
Merced, California 95341  
[trichardson@co.merced.ca.us](mailto:trichardson@co.merced.ca.us)

**SUBJECT: NOTICE OF VIOLATION; UNDERGROUND STORAGE TANK SYSTEMS  
LOCATED AT MERCED COUNTY ROADS DEPARTMENT, 880 THORNTON  
ROAD, BUILDING B, MERCED**

Dear Mr. Richardson:

As part of an initiative by the State Water Resources Control Board (State Water Board) to ensure compliance at government-owned and/or operated underground storage tank (UST) facilities in California, the State Water Board staff inspected the USTs at your facility on June 6, 2018, pursuant to authority under Health and Safety Code (H&SC), chapter 6.7, section 25289.

The State Water Board has identified the following violations pursuant to H&SC, chapter 6.7, and California Code of Regulations (CCR), title 23, chapter 16:

No.	Violation	Tank	Start Date	Stop Date	Regulation
1	<b>Failure to Monitor Tank</b> – The site uses an automatic tank gauge (ATG) to perform monthly 0.2 gph leak rate tests on the single-walled tanks. The Veeder Root monitoring panel was not programmed to the correct leak detection specification requirements of “enhanced mode” and a probability of detection set at 99% at the time of inspection.	Both	June 6, 2018	Ongoing	H&SC 25292(a); 23 CCR 2643(b)(1)
2	<b>Failure to Install Monitoring Equipment According to Manufacturer's Instructions</b> – The Veeder Root ATG wire was spliced and the epoxy pack was not inside an explosion proof electrical box. Veeder Root requires all epoxy packs to be placed inside an explosion proof electrical box when installing or replacing monitoring equipment.	Both	June 6, 2018	Ongoing	23 CCR 2638(a)

Office of Enforcement | 801 K Street, Suite 2300 | Sacramento, CA 95814 | 916.341.5272

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR



No.	Violation	Tank	Start Date	Stop Date	Regulation
3	<b>Failure to Tag Monitoring Equipment</b> – The ATG did not have a current annual monitoring certification tag affixed.	Both	June 6, 2018	Ongoing	23 CCR 2638(f)
4	<b>Failure to Maintain Site Map</b> – The site plan in CERS does not show the location of the piping and all sensors.	Both	June 6, 2018	Ongoing	23 CCR 2711(a)(8)

**You are directed to correct the ongoing violations and submit compliance documentation to the State Water Board and Merced County Environmental Health within sixty (60) days from the date of this letter. Have your Designated Operator make specific notations in the next monthly designated operator report indicating the ongoing violations have been corrected. The monthly designated operator report and any associated photos must be submitted as proof of compliance.**

Please send all compliance documentation to the following:

**State Water Board**

Mr. Joseph Lovesee  
UST Enforcement Unit  
Office of Enforcement  
State Water Resources Control Board  
801 K Street, Suite 2300  
Sacramento, California 95814  
[joseph.lovesee@waterboards.ca.gov](mailto:joseph.lovesee@waterboards.ca.gov)

**Local CUPA**

Ms. Vicki Jones  
Supervising Environmental Health Specialist  
Merced County Environmental Health  
260 E. 15<sup>th</sup> Street  
Merced, California 95341  
[vjones@co.merced.ca.us](mailto:vjones@co.merced.ca.us)

Pursuant to Health and Safety Code, chapter 6.7, section 25299, the owner and operator of the tank(s) are liable for a penalty of \$500 to \$5,000 per tank, per day of violation. These penalties will continue to accrue until the violations have been corrected.

If you have any questions, please contact me at (916) 341-5551, or by email at [amantha.henkel@waterboards.ca.gov](mailto:amantha.henkel@waterboards.ca.gov).

Sincerely,



Amantha Henkel  
Senior Environmental Scientist  
UST Enforcement Unit  
**Office of Enforcement**

cc: (via email only)

Ms. Vicki Jones  
Supervising Environmental Health Specialist  
Merced County Environmental Health  
[vjones@co.merced.ca.us](mailto:vjones@co.merced.ca.us)

